

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 HECTOR N. DOMINGUEZ,

10 Plaintiff,

11 v.

12 THE CORPORATION OF
13 GONZAGA UNIVERSITY,

14 Defendant.

15 CASE NO. 18-mc-00015-RAJ

16 ORDER ON REVIEW OF MOTION
17 TO RECUSE

18 On February 13, 2018, Plaintiff Hector N. Dominguez filed a Motion to Recuse the
19 Honorable Richard A. Jones in this matter. Dkt. #7. On March 1, 2018, Judge Jones issued an
20 Order declining to recuse himself and, in accordance with this Court's Local Rules, referred that
21 decision to the Chief Judge for review. Dkt. #20; LCR 3(e).

22 A judge of the United States shall disqualify himself in any proceeding in which his
23 impartiality "might reasonably be questioned." 28 U.S.C. § 455(a). Federal judges also shall
24 disqualify themselves in circumstances where they have a personal bias or prejudice concerning
25 a party or personal knowledge of disputed evidentiary facts concerning the proceeding. 28
26 U.S.C. § 455(b)(1). Pursuant to 28 U.S.C. § 144, "whenever a party to any proceeding in a
27 district court makes and files a timely and sufficient affidavit that the judge before whom the
28 matter is pending has a personal bias or prejudice either against him or in favor of any adverse

1 party, such judge shall proceed no further therein, but another judge shall be assigned to hear
2 such proceeding.”

3 Mr. Dominguez’ Motion to Recuse essentially argues that Judge Jones should recuse
4 himself solely because he accepted an honorary degree from Gonzaga University in 2010, and
5 because a motion has been filed “seeking the email communications of the individuals who could
6 have taken part in bestowing his Honorary degree in a legal suit. . .” Dkt. #7. Mr. Dominguez
7 does not cite to any other specific evidence about Judge Jones’ relationship with Gonzaga
8 University or other individuals or entities involved in this action.

9 The Court agrees with Judge Jones that Mr. Dominguez’s motion is based on speculation,
10 and that there is no objective basis on which a reasonable person might question Judge Jones’
11 impartiality. Accordingly, the Court hereby finds and ORDERS that Judge Jones’ refusal to
12 recuse himself from this matter is AFFIRMED. The Clerk shall provide a copy of this Order to
13 Mr. Dominguez.

14 DATED this 12th day of March, 2018.

15
16 
17 RICARDO S. MARTINEZ
18 CHIEF UNITED STATES DISTRICT JUDGE
19
20
21
22
23
24